



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
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AMARAVATI, TUESDAY, MARCH 7, 2023

G.2765

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**CHIEF EXECUTIVE OFFICER,
A. P. STATE WAQF BOARD**

4th FLOOR, IMDADAGHAR, OPP: KALESWARAO MARKET, VIJAYAWADA.

F.No.B3 / 03 / KNL / 2004.

Date: 15-02-2023.

KURNOOL DISTRICT & MANDAL - MOSQUE KNOWN AS JAMIA MASJID AT
MUNAGALAPADU - Sri SYED RIYAZ KHADRI, S/o. SYED HUSSAIN PEER
RECOGNIZED AS MUTAWALLI U/Sec.42 OF THE WAQF ACT, 1995.

Read :1.Representation of Sri.Syed Riyaz, S/o.Syed Hussain Peer dated:
24-01-2018.

2.This office Memo of dated: 16-02-2017.

3.Report of the I.A.Waqf, Kurnool Dist, dt.17-04-2017.

4.This office Memo of even No. dated: 08-05-2017.

5.Report of the I.A.Waqf, Kurnool Dist, dt.03-06-2017.

6.Representation of Sri Syed Riyaz S/o Syed Hussain Peer, dated.
05-06-2017 along with death certificate of Mulla Peer, family member
certificate issued by Tahsildar, Kurnool Mandal & No-objection
certificate and other documents.

7.This office Memo of even No. dated: 22-10-2018.

8.Report of the I.A.Waqf, Kurnool Dist, dt.01-11-2018 along with affidavit
notary by Syed Javeed, Advocated Kurnool dated.12-10-2017.

9.This office notification dated.02-01-2019.

10.Report of the Inspector Auditor Waqfs, Kurnool Dist, dt:06-02-2019.

11.Board's Resolution No.624 of 2023, dated:03-02-2023.

12.Orders of the Hon'ble Chairperson, APSWB, dated:08-02-2023..

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ORDER:

The Waqf institution namely Masjid situated at Munagalapadu Village, Kurnool Mandal & District is having attached property in Sy No.13 to an extent of Ac.6.88 cents, Sy No.80 to an extent of Ac.4.68 cents, Sy No.135 to an extent of Ac.3.96 cents, Sy No.193/3 to an extent of Ac.0.16 cents total to an extent of Ac.15.68 cents are notified Waqf property and got published in A.P. Gazette No.43-A, Part-II, Dated.24-10-1963 at serial No.2096, under the Towliath of Ashraf Hussain Khan, Syeda Hussaini Begum and Majeed Hussain. The object of Waqf is maintenance of Masjid and the Rule of succession to the office of the Mutawalli is "hereditary by custom".

A representation has been received from Sri Syed Riyaz, S/o Syed Hussain Peer Munagalapadu Village vide reference 1st read above with a request to appoint him as Mutawalli in place of his deceased grandfather.

In the ref. 2nd read above, this office issued a Memo to Inspector Auditor Waqfs, Kurnool District for calling detailed report in the subject matter.

Accordingly, the I.A. Waqf, Kurnool District has submitted his report vide ref. 3rd read above that Board authorities have appointed to Janab Syed Mahaboob Peer as Joint Mutawalli vide Proceedings No. A1/29/73/345, dated.17-07-1974 & 20-07-1974 and he was demised on 14-08-1993. Further, the I.A. Waqfs, Kurnool District reported that 3rd notified Mutawalli Janab Majeed Hussain died on 14-04-2002, in his place, the A.P. State Waqf Board appointed to Janab Syed Shah Vali as Mutawalli vide Proceedings No.B3/03/KNL/2004 dated.21-03-2005. The legal heir of the above two notified Mutawallis are managing the affairs of the above said Masjid on term basis. An extent of Ac.8.25 cts is in possession of institution and the remaining Waqf land to an extent of Ac.4.84 cts are under illegal encroachment and remaining land under Acquisition for NH Road.

The I.A.Waqfs, Kurnool District further reported that Syed Mahaboob Peer, Joint Mutawalli had 4 sons and 3 daughters. His elder son died without issues 2nd & 3rd sons are alive and they have no interest in the management of the Masjid, Munagalapadu. The 4th son Syed Hussain Peer is rendering services of the Masjid, Munagalapadu. The applicant of Sri Syed Riyaz Khadri is the grandson Joint Mutawalli of Janab Syed Mahaboob Peer, applicant father is rendering his services with Joint Mutawalli, due to his old age unable to rendering his services to the subject institution and they have paid Waqf fund and submitted related documents and requested to consider the request of the applicant Sri Syed Riyaz Khadri and appoint him as Mutawalli of the Masjid at Munagalapadu Village in place of his grandfather late Syed Mahaboob Peer.

After receipt of report from the I.A.Waqfs, Kurnool District, this office has issued memo to I.A.Waqfs Kurnool District vide reference 4th read above, that who is managing the institution along with Family members, NOC and death certificates of Mutawalli. Accordingly, the I.A.Waqfs, Kurnool District has submitted report vide ref. 5th read above, that there are two Mutawalli of the Jamia Masjid and both the Mutawallis are managing the affairs of the said Masjid yearly once, starting from 1st Moharam, at present the applicant is managing the affairs of the said Masjid.

In the reference 6th read above, applicant has submitted the Death certificate of Mulla Peer, Family member Certificate issued by Tahsildar, Kurnool Mandal & No objection certificate of his family members and other documents for appointment of Mutawalli.

The I.A.Waqfs, Kurnool District has submitted report dated.01-11-2018 vide ref. 8th read above, basing on the direction issued by this office vide reference 7th read above and requested to appointment of Janab Syed Riyaz Khadri as Mutawalli of the subject institution in place of his grandfather late Syed Mahaboob Peer.

As a further course of action, a notification dated.02-01-2019 was issued vide ref.9th read above,for calling claims and objections for appointment of Sri Syed Riyaz S/o Syed Hussain Peer, as Mutawalli to the subject the subject institution and its attached properties.

The I.A.Waqfs, Kurnool Dist has submitted his report dated.06-02-2019 along with original paper stating that the afore said notification was published in Andhra Prabha daily District edition of Kurnool on 21-01-2019 by the applicant and there are no claims and objections are received against the said notification and requested to take further action in the subject matter vide ref.10th read above

The subject matter was placed before the Board and the Board has passed resolution No.624 of 2023, dated.03-02-2023 in the ref.11th read above to recognize Sri Syed Riyaz Khadri, S/o. Syed Hussain Peer as Mutawalli U/sec.42 of Waqf Act, for the institution Jamia Masjid at Munagalapadu (V), Kurnool Mandal & District.

Accordingly, Sri Syed Riyaz Khadri, S/o. Syed Hussain Peer is hereby recognized as Mutawalli U/sec.42 of Waqf Act, 1995 for Mosque known as Jamia Masjid situated at Munagalapadu Village, Kurnool Mandal & District for managing the affairs of the subject Waqf Institution and its attached properties by following Waqf Act, 1995 and Waqf Rules.

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time they should submit the Accounts U/sec.46 of Waqf Act, 1995 and Budget U/sec.44 of Waqf Act, 1995 and pay Waqf fund duly following the provisions laid down U/sec.72 & 77 of Waqf Act, 1995 properly, failing which action will be taken against him U/Sec.61 and 64 of the Waqf Act, 1995 as the duties mentioned below.

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- d) To discharge all public duties.
- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not entitled to expend the Monies of Waqf exceeding @ 10% of the Net annual Income.

As per Sec.101(2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also noted that Sec.3(ee) defined encroacher, Sec. 52-A explain rigorous punishment up to (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously

The APSWB reserves its right to modify / cancel / alter / with hold the order at any time without assigning any reasons thereof.

L. ABDUL KHADIR,
Chief Executive Officer,
A.P. State Waqf Board, Vijayawada.

To
Sri Syed Riyaz Khadri, S/o. Syed Hussain Peer,
Mutawalli of Mosque known as Jamia Masjid,
Munagalapadu Village, Kurnool Mandal & District.